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August 10, 2017

Tam Doduc, Hearing Chair and Co-Hearing Officer
Felicia Marcus, Co-Hearing Officer
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

SUBJECT: California WaterFix—Restore the Delta Joinders to Requests of Save the California Delta Alliance and California Water Research

Dear Hearing Chair Doduc and Hearing Officer Marcus:

Restore the Delta respectfully disagrees with the Department of Water Resources' request, submitted August 3, 2017, that the Hearing Officers issue notice to schedule Part 2 of the California WaterFix water rights change petition hearing. RTD disagrees that sufficient substantive information is available at this time to notice Part 2, including but not limited to information about project financing and organization.

We join in the subsequent August 3, 2017, request of Save the California Delta Alliance that the start of Part 2 should not be scheduled until at least 90 days after:

- Completion of all steps of the federal and state endangered species act processes;
- Issuance of Reclamation's Record of Decision (ROD) and certification of the California WaterFix Environmental Impact Statement (EIS); and
- Petitioners' submission of a complete and current, stand-alone project description, including all currently known elements of project operating criteria, for the reasons stated by Save the California Delta Alliance.

In addition, California Water Research submitted a request of the Hearing Officers to prepare and adopt "appropriate Delta flow criteria" required under Water Code Section 85086(c)(2) and compliance with the Administrative Procedures Act, Government Code Section 11340 *et seq.* Restore the Delta joins in this request by CWR. We agree that the WaterFix change petition proceeding is not just about the change petition but must set "appropriate Delta flow criteria" as conditions of the SWP and CVP permits. State Water

Board compliance with the Administrative Procedures Act necessitates that these steps be taken. These steps are practical, producing and consistent with mandates of California law.

Restore the Delta respectfully requests that the Hearing Officers grant these requests.

 Barbara Barrigan-Parrilla Executive Director	 Tim Strohane Policy Analyst
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cc: Trent Orr, Earthjustice